

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LIBERTY DIVERSIFIED INDUSTRIES, INC.,
a Minnesota corporation,

Court File No. 05-CV-01866 DWF/AJB

Plaintiff,

vs.

HEADRICK BUILDING PRODUCTS, INC.,
a Georgia corporation,

Defendant.

NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE

Plaintiff, by and through its counsel, hereby dismisses the above-captioned action pursuant to FED. R. CIV. P. 41(a)(1)(i), voluntarily and with prejudice. Plaintiff has served the Complaint filed in this matter upon Defendant. No Answer to the Complaint has been served upon Plaintiff or Plaintiff's counsel by Defendant. Plaintiff has not previously dismissed any action in the United States that was based on or included the same claims found in the Complaint filed in this action.

Respectfully submitted,

Dated: October 10, 2005

PATTERSON, THUENTE,
SKAAR & CHRISTENSEN, P.A.

By: s/Matthew T. Macari
Randall T. Skaar (#165,013)
Matthew T. Macari (#308,717)
4800 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Telephone: 612-349-5740

**ATTORNEYS FOR PLAINTIFF LIBERTY
DIVERSIFIED INDUSTRIES, INC.**